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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 **J & J SPORTS**  
12 **PRODUCTIONS, INC.,**

13 Plaintiff,

14 v.

15 **JESSICA SIERRA, et al.,**

16 Defendants.

Case No. CV 08-07780 WDK(FMOx)

**ORDER GRANTING PLAINTIFF'S  
APPLICATION FOR DEFAULT  
JUDGMENT**

17 Default having been entered in this action against Defendants Jessica Sierra  
18 and Jose Jesus Sierra, individually and d/b/a La Sierra Bar on May 13, 2009, and  
19 the application for and declarations in support of default judgment having been  
20 filed on or about June 9, 2009, and having been served on Defendants and notice  
21 given and no appearance or response by the Defendants having been made in  
22 person or in writing, and Plaintiff having met all of the statutory requirements for  
23 an Application for Default Judgment, IT IS HEREBY ORDERED AND  
24 ADJUDGED that Default Judgment in the amount of \$1,642.65 in actual damages<sup>1</sup>  
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27 <sup>1</sup>Initially, the Court takes notice of *J&J Sports Productions, Inc., v. Ro*,  
28 2010 WL 668065, \*3-\*4 (N.D.Cal.2010). This Court adopts that court's reasoning  
and finds that Plaintiff has failed to establish why damages should be analyzed  
under 47 U.S.C. 605 and not under 47 U.S.C. 553. *See Ro* at \*3. Therefore, the

( $\$34.95$  per person x 47 individuals in actual attendance) plus  $\$4,927.95$  in punitive damages based on willfulness, an amount that is equal to three times the actual damages<sup>2</sup>, is therefore GRANTED against Defendants Jessica Sierra and Jose Jesus Sierra, individually and d/b/a La Sierra Bar. The Court further grants Plaintiff  $\$857.06$  in attorneys' fees pursuant to Local Rule 55-3, for a total of  $\$7,427.66$ . Costs are to be submitted in cost bill.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Clerk of the Court shall serve, by United States mail or by telefax or by email, copies of this Order on counsel for the parties in this matter.

Dated: JUL - 2 2010



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William Keller  
United States District Judge

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Court examined Defendants' violation under 47 U.S.C. 553.

<sup>2</sup>The Court has determined that the proper measure of punitive damages based on willfulness is an amount equal to a multiple of actual damages. For guidance, the Court looks to statutes that grant punitive damages as a multiple of actual damages. *See, e.g.*, 15 U.S.C. § 15 (Antitrust)(treble damages); 18 U.S.C. § 1964(c) (Racketeer Influenced and Corrupt Organizations Act)(treble damages); 18 U.S.C. § 2318 (Trafficking Counterfeit Labels)(treble damages); 35 U.S.C. § 284 (Patent Infringement)(treble damages).